

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6818 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

LAKHANPAL NATIONAL LTD.

Versus

PIYUSH GUNVANTLAL DESAI

Appearance:

MR VIMAL PATEL FOR MR KS NANAVATI for Petitioner
MR RK MISHRA for Respondent No. 1

CORAM : MR.JUSTICE H.K.RATHOD
Date of decision: 15/10/1999

ORAL JUDGEMENT

Learned advocate Mr. Vimal Patel is appearing on behalf of Mr. K.S.Nanavaty, Sr. Advocate appearing for the petitioner Co. Mr. R.K.Mishra is appearing for the respondent. Today, when the matter has been called out, Mr. Mishra, the learned advocate appearing for the respondent has made a statement that immediately within short period from the date of termination, the respondent

workman has obtained alternative employment and he is also continued and today also, he is in service and, therefore, the award passed by the labour court in reference LCV No. 845 of 1979 dated 11th August, 1988 is not required to be implemented against the petitioner in view of the peculiar facts as stated above.

In view of this statement made by Mr. Mishra, learned advocate for the respondent workman, Mr. Patel, learned advocate appearing for the petitioner Corporation has not pressed this petition as now the impugned award is not required to be enforced against the petitioner Co. since the respondent workman has already been gainfully employed after the date of termination within short time. Accordingly, this petition is disposed of as not pressed with a liberty to the petitioner to apply in case of difficulty for revival by filing note in this case. Rule is discharged. Interim relief granted earlier shall stand vacated with no order as to costs.

15.10.1999. (H.K.Rathod,J.)

Vyas